



B

JFW

THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the Application of: **Jiro KUMAKURA**

Group Art Unit: **2153**

Application Number: **09/889,559**

Examiner: **Yasin M. Barqadle**

Filed: **July 27, 2001**

Confirmation Number: **7491**

For: **DATA TRANSMISSION METHOD, COMPUTER-READABLE
RECORDING MEDIUM AND DATA TRANSMISSION
APPARATUS**

Attorney Docket Number: **010885**
Customer Number: **38834**

REQUEST FOR RETURN OF PTO/SB/08

Commissioner for Patents
P. O. Box 1450
Alexandria, VA 22313-1450

July 5, 2006

Sir:

Applicants filed an Information Disclosure Statement (IDS) on November 12, 2004. A copy of the IDS is attached hereto.

Applicants respectfully request that the Examiner return a copy of the Form PTO/SB/08 that accompanies the IDS, marked to indicate that the references listed therein have been considered by the Office. More specifically, it is submitted that while the Examiner properly considered the references cited on page one of the IDS, the Examiner failed to consider the references cited on page two of the IDS.

The Examiner is encouraged to telephone the undersigned if the Examiner has any questions concerning this Request.

Respectfully submitted,

WESTERMAN, HATTORI, DANIELS & ADRIAN, LLP

Thomas E. Brown

Registration No. 44,450

Telephone: (202) 822-1100

Faxsimile: (202) 822-1111

TEB/ar



THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the Application of: **Jiro KUMAKURA**

Group Art Unit: **2153**

Serial No.: **09/889,559**

Examiner: **Scott M. Klinger**

Filed: **July 27, 2001**

Confirmation No.: **7491**

For: **DATA TRANSMISSION METHOD, COMPUTER-READABLE
RECORDING MEDIUM AND DATA TRANSMISSION APPARATUS**

Attorney Docket No.: **010885**
Customer Number: **38834**

INFORMATION DISCLOSURE STATEMENT UNDER C.F.R. §1.97(c)

Mail Stop Amendment
Commissioner for Patents
Washington, D.C. 20231

November 12, 2004

Dear Sir:

The attention of the U.S. Patent and Trademark Office is hereby directed to the documents listed on the attached PTO/SB/08. One copy of each of these documents is attached.

This Information Disclosure Statement is being submitted after the issuance of a first official action on the merits and expiration of the three month period following the filing date or the entry in the national stage for the above-captioned application, but prior to the issuance of either a Final Office Action, Notice of Allowance, or an action that otherwise closes prosecution in the application. A check is attached hereto which covers the \$ 180.00 fee set forth in 37 CFR § 1.17(p).

The above information is presented so that the Patent and Trademark Office may, in the first instance, determine any materiality thereof to the claimed invention. It is respectfully requested that the information be expressly considered during the prosecution of this application,

Application No.: 09/889,559

Information Disclosure Statement Under 37 C.F.R. §1.97(c) dated November 12, 2004

and that the references cited in the attached Form PTO/SB/08 is made of record therein and appear on the first page of any patent to issue therefrom.

A communication from the Japanese Patent Office, along with English language translation of the complete communication and Abstracts of the references cited therein are enclosed to provide the requisite statement of relevance for the attached foreign references.

The Commission is authorized to charge Deposit Account No. 50-2866 for any fee which is deemed by the Patent and Trademark Office to be required to effect consideration of this statement.

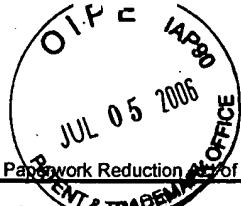
Respectfully submitted,

WESTERMAN, HATTORI, DANIELS & ADRIAN, LLP



John P. Kong
Attorney for Applicant
Registration No. 40,054

JKP:kal
1250 Connecticut Avenue, NW
Suite 700
Washington, D.C. 20036
(202) 822-1100



PTO/SB/08A (08-03)

Approved for use through 07/31/2006. OMB 0651-0031

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number.

Substitute for form 543A-1

INFORMATION DISCLOSURE STATEMENT BY APPLICANT

(Use as many sheets as necessary)

Sheet

of

Complete if Known

Application Number	09/889,559
Filing Date	July 27, 2001
First Named Inventor	Jiro Kumakura
Art Unit	2153
Examiner Name	Scott M. Klinger
Attorney Docket Number	010085

U. S. PATENT DOCUMENTS

FOREIGN PATENT DOCUMENTS

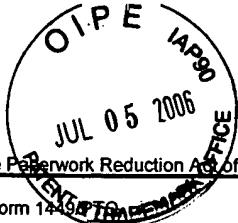
FOREIGN PATENT DOCUMENTS					
Examiner Initials*	Cite No. ¹	Foreign Patent Document	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages Or Relevant Figures Appear
		Country Code ³ -Number ⁴ -Kind Code ⁵ (if known)			
	1	JP 05-073449	03-26-1993	Kobe Nippon ...	
	2	JP 07-230404	08-29-1995	Chugoku ...	
	3	JP 05-225015	09-03-1993	Nippon ...	

Examiner Signature		Date Considered	
--------------------	--	-----------------	--

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. ¹Applicant's unique citation designation number (optional). ²See Kinds Codes of USPTO Patent Documents at www.uspto.gov or MPEP 901.04. ³Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). ⁴For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. ⁵Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST.16 if possible. ⁶Applicant is to place a check mark here if English language Translation is attached.

This collection of information is required by 37 CFR 1.97 and 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 (1-800-786-9199) and select option 2.



PTO/SB/08B (08-03)

Approved for use through 07/31/2006. OMB 0651-0031
 U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE
 Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number.

Substitute for form 14-0575 TRADEMARKS

INFORMATION DISCLOSURE STATEMENT BY APPLICANT

(Use as many sheets as necessary)

Sheet 2

of 2

Complete if Known	
Application Number	09/889,559
Filing Date	July 27, 2001
First Named Inventor	Jiro Kumakura
Art Unit	2153
Examiner Name	Scott M. Klinger
Attorney Docket Number	010885

NON PATENT LITERATURE DOCUMENTS

Examiner Initials*	Cite No. ¹	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T ²
	4	ODA, Keizo, "Business Pasocom Unser no tameno Intranet/LAN taio Database Kochiku Guide," Kabushiki Kaisha Denpa Shinbunsha, 20 May, 1996 (20.5.1996)	
	5	"Mobile System Kochiku-ho (Part 2:6 tsuno Kochiku Pattern)," Nikkei Open System, No. 69, Nikkei BP Aha, 15 December, 1998 (15.12.1998), pages 164 -	
	6	"Setsuzoku ga kiretemo kakuzitsuni Data wo okuru Mobile Agent Soft," Nikkei Computer No. 416, Nikkei BP Sha, 28 April, 1997 (28.4.1997) pages 110 - 113	
	7	Office Communication from the Japanese Patent Office for Application No. 2000-019919 dated December 25, 2003 and English language translation.	

Examiner Signature	Date Considered
--------------------	-----------------

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

1 Applicant's unique citation designation number (optional). 2 Applicant is to place a check mark here if English language Translation is attached.

This collection of information is required by 37 CFR 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 (1-800-786-9199) and select option 2.